

AMENDED IN SENATE APRIL 21, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 425

Introduced by Senator Hernandez
(Principal coauthor: Assembly Member Calderon)

February 25, 2015

An act to ~~amend Sections 52300 and 52500 of~~ *add Section 52334.7* to the Education Code, relating to career technical education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 425, as amended, Hernandez. ~~Career technical education; training; adult students.~~

(1) Existing law authorizes various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs.

The bill would authorize the Superintendent of Public Instruction to certify, by name, any regional occupational center or program, county office of education, or adult education program, that provides a program of training to prepare adult students for gainful employment in a recognized occupation, to legally authorize the center, program, or office to provide an educational program beyond secondary education, as specified.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

~~(1) Existing law provides that the Legislature declares that a regional occupational center will serve the state and national interests in~~

providing career technical and technical education to students, including, but not limited to, high school students.

~~This bill would instead provide that the Legislature declares that a regional occupational center and program or a county office of education will serve the state and national interests in providing secondary and postsecondary programs focused on career technical and technical education to those pupils. The bill would also express legislative recognition that, for purposes of participating in any student financial assistance program authorized by a specified federal statute, the Superintendent of Public Instruction may certify, by name, a regional occupational center and program or a county office of education.~~

~~(2) Existing law requires adult schools and evening high schools to consist of classes for adults, and authorizes minors to be admitted into those classes pursuant to policy adopted by the governing board of the school district and if those minors meet certain eligibility requirements.~~

~~This bill would authorize those classes to include postsecondary career technical education programs. The bill would, for purposes of participation in any student financial assistance program authorized by a specified federal statute, authorize the Superintendent to certify, by name, an adult school or evening high school.~~

~~(3) This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (1) *Career training for adults is an important part of workforce*
- 4 *and economic development in California.*
- 5 (2) *Many of California's neediest adult students require*
- 6 *financial aid to support their career training.*
- 7 (3) *Historically, those neediest adult students have had access*
- 8 *to federal financial aid under Title IV of the federal Elementary*
- 9 *and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.).*
- 10 (4) *Recent revisions in federal regulations governing Title IV*
- 11 *of the federal Elementary and Secondary Education Act (20 U.S.C.*
- 12 *Sec. 6301 et seq.) have eliminated the eligibility for financial aid*
- 13 *for adult students in many of California's career training programs*

operated by local educational agencies, even though adults in those programs have been historically eligible.

(b) The Legislature therefore supports all of the following:

(1) Adult students' access to career training programs that will improve or expand their job skills and employability.

(2) Adult students' access to federal financial aid that may be used for career training programs and services.

(3) Providers of career training programs for adult students, as those providers work to satisfy federal requirements necessary to establish federal financial aid eligibility for those adult students.

SEC. 2. Section 52334.7 is added to the Education Code, to read:

52334.7. (a) The Superintendent may certify, by name, any regional occupational center or program, county office of education, or adult education program, that provides a program of training to prepare adult students for gainful employment in a recognized occupation, upon the center, program, or office's satisfaction of the requirements in subdivision (b), to legally authorize the center, program, or office to provide an educational program beyond secondary education, including an education program that leads to a degree or certificate, for purposes of the center, program, or office participating in any student financial assistance program authorized by Title IV of the Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.).

(b) A regional occupational center or program, county office of education, or adult education program applying for certification pursuant to subdivision (a) shall comply with both of the following:

(1) Satisfying all applicable eligibility requirements specified in federal rulemaking pursuant to Sections 600.6, 600.7, and 600.9 of Title 34 of the Code of Federal Regulations, other than the authorization provided for in subdivision (a).

(2) Applying in writing to the Superintendent, as an individual center, program, or office, to be considered for certification pursuant to subdivision (a).

(c) Any person may file a complaint under the Uniform Complaint Procedures, as set forth in Title 5 of the California Code of Regulations, regarding an alleged violation by a local agency of federal or state law or regulations governing adult education programs or regional occupational centers and

1 *programs, including allegations of unlawful discrimination,*
2 *harassment, intimidation, or bullying.*

3 *(d) The Superintendent shall adopt regulations that authorize*
4 *any person to file a complaint under the Uniform Complaint*
5 *Procedures, as set forth in Title 5 of the California Code of*
6 *Regulations, regarding an alleged violation by a county office of*
7 *education of federal or state law or regulations governing that*
8 *county office of education's participation in any student financial*
9 *assistance program authorized by Title IV of the Higher Education*
10 *Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.), including*
11 *allegations of unlawful discrimination, harassment, intimidation,*
12 *or bullying.*

13 *(e) The Superintendent may decertify, for purposes of*
14 *participating in any student financial assistance program*
15 *authorized by Title IV of the Higher Education Act of 1965, as*
16 *amended (20 U.S.C. Sec. 1070 et seq.), a regional occupational*
17 *center or program, county office of education, or adult education*
18 *program previously certified in accordance with subdivision (a)*
19 *if the Superintendent determines that the regional occupational*
20 *center or program, county office of education, or adult education*
21 *program is no longer in compliance with the requirements outlined*
22 *in subdivision (b).*

23 *SEC. 3. This act is an urgency statute necessary for the*
24 *immediate preservation of the public peace, health, or safety within*
25 *the meaning of Article IV of the Constitution and shall go into*
26 *immediate effect. The facts constituting the necessity are:*

27 *In order for regional occupational centers and programs, county*
28 *offices of education, adult schools, and evening high schools to*
29 *satisfy federal requirements in order to participate in federal*
30 *student aid programs, it is necessary for this act to take effect*
31 *immediately.*

32 ~~SECTION 1. Section 52300 of the Education Code is amended~~
33 ~~to read:~~

34 ~~52300. (a) (1) In enacting this article, it is the intent of the~~
35 ~~Legislature to provide qualified pupils with the opportunity to~~
36 ~~attend a technical school or enroll in a career technical or technical~~
37 ~~training program, regardless of the geographical location of their~~
38 ~~residence in a county or region.~~

39 ~~(2) The Legislature hereby declares that a regional occupational~~
40 ~~center and program or a county office of education will serve the~~

1 state and national interests in providing secondary and
2 postsecondary programs focused on career technical and technical
3 education to prepare pupils for an increasingly technological
4 society in which generalized training and skills are insufficient to
5 prepare high school pupils and graduates, and out-of-school youth
6 and adults for the many employment opportunities that require
7 special or technical training and skills.

8 (3) The Legislature also declares that regional occupational
9 centers and programs or county offices of education will enable a
10 broader curriculum in technical subjects to be offered, and will
11 avoid unnecessary duplication of courses and expensive training
12 equipment, and will provide a flexibility in operation that will
13 facilitate rapid program adjustments and meeting changing training
14 needs as they arise.

15 (b) It is recognized by the Legislature that career technical
16 programs may achieve great flexibility of planning, scope, and
17 operation by the conduct of these programs in a variety of physical
18 facilities at various training locations.

19 (c) It is the further intent of the Legislature that regional
20 occupational centers and programs or county offices of education
21 provide career technical and occupational instruction related to
22 the attainment of skills so that trainees are prepared for gainful
23 employment in the area for which training was provided, or are
24 upgraded so they have the higher level skills required because of
25 new and changing technologies or so that they are prepared for
26 enrollment in more advanced training programs.

27 (d) The Legislature further recognizes that, for purposes of
28 participation in any student financial assistance program authorized
29 by Title IV of the federal Higher Education Act of 1965, as
30 amended (20 U.S.C. Sec. 1070 et seq.), the Superintendent may
31 certify, by name, a regional occupational center and program or a
32 county office of education.

33 SEC. 2. Section 52500 of the Education Code is amended to
34 read:

35 52500. (a) Adult schools and evening high schools shall consist
36 of classes for adults, and may include postsecondary career
37 technical education programs. Minors may be admitted to those
38 classes pursuant to board policy and Section 52500.1.

39 (b) For purposes of participation in any student financial
40 assistance program authorized by Title IV of the federal Higher

1 ~~Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.);~~
2 ~~the Superintendent may certify, by name, an adult school or an~~
3 ~~evening high school.~~

4 ~~SEC. 3. This act is an urgency statute necessary for the~~
5 ~~immediate preservation of the public peace, health, or safety within~~
6 ~~the meaning of Article IV of the Constitution and shall go into~~
7 ~~immediate effect. The facts constituting the necessity are:~~

8 ~~In order for regional occupational centers and programs, county~~
9 ~~offices of education, adult schools, and evening high schools to~~
10 ~~satisfy federal requirements in order to participate in federal student~~
11 ~~aid programs, it is necessary for this act to take effect immediately.~~